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Attorney for Defendant
GILBERT RAMIREZ

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

GILBERT RAMIREZ,
Defendant.

Case No.: 2:23-cr-016 TLN

STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE

Date: November 9, 2023
Time: 9:30 a.m.
Court: Hon. Troy L. Nunley

Plaintiff United States of America by and through Special Assistant United States
Attorney Matt De Moura, and Attorney Todd Leras on behalf of Defendant Gilbert Ramirez,
stipulate as follows:

1. This matter is presently set for a status conference on November 9, 2023. The parties
request that the status conference be continued to February 15, 2024, at 9:30 a.m.
The parties further request that the time between November 9, 2023, and February 15,
2024, be excluded for attorney preparation. This request follows a request by

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1 Attorney Todd Leras to substitute into the case as counsel, which was filed on
2 November 7, 2023.

- 3 2. This case involves a charged conspiracy to distribute fentanyl and methamphetamine
4 as well as distinct charges of actual distribution of fentanyl and methamphetamine.

5 Given the recent substitution request filed by new counsel, the defense requires
6 additional time to review discovery materials and conduct defense investigation into
7 possible defenses.

- 8 3. Based on the need for defense investigation, Defendant Ramirez requests to continue
9 the status conference in this matter to February 15, 2024, at 9:30 a.m., and to exclude
10 time between November 9, 2023 and February 15, 2023⁴, inclusive, under Local
11 Code T-4. The United States does not oppose this request.

- 12 4. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
13 *seq.*, within which trial must commence, the time period of November 9, 2023 to
14 February 15, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. §
15 3161(h)(7)(A), and (B) (iv) [Local Code T-4] because it results from a continuance
16 granted by the Court at Defendant Ramirez's request on the basis that the ends of
17 justice served by taking such action outweigh the best interest of the public and the
18 Defendant in a speedy trial.

- 19 5. Nothing in this stipulation and order shall preclude a finding that other provisions of
20 the Speedy Trial Act dictate that additional time periods are excludable from the
21 period within which a trial must commence.

22 Special Assistant U.S. Attorney Matt De Moura has reviewed this proposed order and
23 authorized Todd Leras via email to sign it on his behalf.

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1 DATED: November 7, 2023

PHILLIP A. TALBERT
United States Attorney

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3 By /s/ Todd D. Leras for
MATTHEW DE MOURA
4 Special Assistant United States
5 Attorney

6 DATED: November 7, 2023

7 By /s/ Todd D. Leras
TODD D. LERAS
8 Attorney for Defendant
GILBERT RAMIREZ

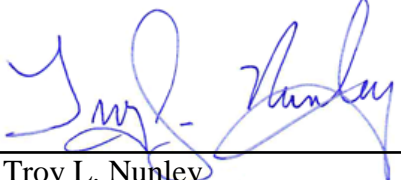
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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference, scheduled for November 9, 2023, is vacated. A new status conference is set for February 15, 2024, at 9:30 a.m., before the Honorable Troy L. Nunley. The Court further finds, based on the representations of the parties and Defendant Ramirez's request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendant in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from November 9, 2023, up to and including February 15, 2024.

IT IS SO ORDERED.

DATED: November 7, 2023



Troy L. Nunley
United States District Judge

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